



PATENT  
Customer No. 22,852  
Attorney Docket No. 5725.0905-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
<b>Valérie DE LA POTERIE et al.</b>	)	
	)	
Appln. No.: 09/881,097	)	Group Art Unit: 1616
	)	
Filed: June 15, 2001	)	Examiner: M. Lamm
	)	
For: FILM-FORMING COSMETIC	)	Confirmation No.: 7312
COMPOSITION	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER**

Assignee, L'Oréal S.A., duly organized under the laws of France and having its principal place of business at 14, Rue Royale 75008, through its attorneys, represents that it is the assignee of the entire right, title, and interest in and to instant Application No. 09/881,097, filed in the United States on June 15, 2001, for FILM-FORMING COSMETIC COMPOSITION in the names of Valérie De La Poterie, Jean Mondet, and Frédéric Auguste as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 012250, Frame 0491 on October 15, 2001. Assignee, L'Oréal S.A., further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. 6,946,518, as indicated by the assignments duly recorded in

the United States Patent and Trademark Office at Reel 013206, Frame 0219 on August 16, 2002.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of U.S. Patent No. 6,946,518. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,946,518 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,946,518, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,946,518 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 20, 2006

By:

A handwritten signature in black ink, appearing to read 'Mark D. Sweet', written over a horizontal line.

Mark D. Sweet  
Reg. No. 41,469